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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,)	No. CR 11-00185 LHK
)	
Plaintiff,)	STIPULATION AND [PROPOSED]
)	ORDER TO CONTINUE STATUS
v.)	CONFERENCE FROM MARCH 7, 2012
)	TO MARCH 28, 2012
DOUGLAS WEINSTEIN,)	
)	
Defendant.)	Date: March 7, 2012
)	Time: 10:00 a.m.
)	Court: The Hon. Lucy H. Koh
)	

The parties are scheduled to appear before this Court for a status appearance on March 7, 2012. The parties are diligently working toward a possible resolution in this case but must do further investigation before a resolution can be reached. In particular, the government is in the process of examining the six hard drives seized from the defendant to assess the motivation for defendant's purchase of the guns charged in this case. The hard drives have been imaged and prepared for forensic examination. The examination of three of the hard drives is complete, and the remaining hard drives are currently being examined. This examination is proceeding as

USA'S STIP. TO CONTINUE DATE
FOR STATUS CONF.
[CR 11-00185 LHK]

expeditiously as possible. Counsel for defendant has been working on preparing a psychological history of the defendant, which report is almost complete. The parties have met this week to discuss the progress made in these investigations. However, the parties cannot resolve the case without the completion of these investigations, and the parties request a short continuance in order to do so. For these reasons, the parties jointly request to continue the scheduled status appearance until Wednesday, March 28, 2012, at ^{9:00}~~10:00~~ a.m. The parties agree that the time between March 7, 2012, through Wednesday, March 28, 2012, is properly excluded pursuant to the Speedy Trial Act, Title 18 United States Code, sections 3161(h)(7)(A) and 3161(h)(7)(B)(iv) as reasonable time necessary for effective preparation, taking into the account the exercise of due diligence, and that the interests of justice outweigh the best interest of the public and the defendant in a speedy trial.

SO STIPULATED:

MELINDA HAAG
United States Attorney

DATED: March 1, 2012

/s/
ALLISON MARSTON DANNER
Assistant United States Attorney

DATED: March 1, 2012

/s/
JONATHAN MCDUGALL
Attorney for DOUGLAS WEINSTEIN

For the foregoing reasons, the Court continues the next status conference in this case from March 7, 2012, to Wednesday, March 28, 2012 at ^{9:00}~~10:00~~ a.m. For the reasons stated above, the Court further finds that the ends of justice served by granting the requested continuance outweigh the best interests of the public and the defendant in a speedy trial. See U.S.C. § 3161(h)(7)(A) and 3161(h)(8)(7)(iv). Accordingly, time shall be excluded from March 7, 2012 through and including Wednesday, March 28, 2012. SO ORDERED.

DATED: 3/1/12


LUCY H. KOH
Judge, United States District Court

USA'S STIP. TO CONTINUE DATE
FOR STATUS CONF.
[CR 11-00185 LHK]